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## Chapter 348. - Animal Day Care and Animal Boarding

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### Sec. 348.01. - License required.

No person shall operate an animal day care or animal boarding facility in the city without a license.

(C.F. No. 08-567, § 1, 6-25-08)

### Sec. 348.02. - Definitions.

*Animal boarding* means and includes every place kept or maintained for the care and socializing of live dogs or cats for any amount of time by a person other than the owner of the live animal. An animal boarding facility may also offer animal day care. Animal boarding does not include facilities that provide breeding of animals, selling of animals, or facilities whose primary source of revenue is licensed veterinarian services.

*Animal day care* means and includes every place kept or maintained for the care, grooming, training, exercising, and socializing of live dogs or cats for less than twenty-four (24) hours per day by a person other than the owner of the live animal. Animal day care does not include facilities that provide animal boarding, breeding or selling of animals, or facilities whose primary source of revenue is licensed veterinarian services.

*Commercial animal day care* means any animal day care establishment that is located in a building other than a residence.

*Home occupation animal day care* means any animal day care establishment that is located in a residential building. A home occupation animal day care can only be operated by a person residing in the building. A home occupation animal day care can care for no more than three animals at one time including any animals that are owned/kept by the resident/licensee.

(C.F. No. 08-567, § 2, 6-25-08)

### Sec. 348.03. - Fee.

The fee required for each license shall be established by ordinance as specified in section 310.09(b) of the Saint Paul Legislative Code.

(C.F. No. 08-567, § 3, 6-25-08)

### Sec. 348.04. - Licensing requirements.

(a)

*Application.* Every applicant for an animal day care license or animal boarding license shall file an application with the department of safety and inspections. The application shall be on a form prescribed by the department of safety and inspections. The following information shall be set forth in the application:

- (1) The name, place of residence, and telephone number of the applicant.
  - (2) The exact location of the premises upon which the applicant proposes to provide animal services and the telephone number.
  - (3) Whether the applicant has ever engaged in a similar business and, if so, the location thereof and the date when so engaged.
  - (4) A description of the type of services offered including but not limited to animal day care, animal boarding, pet grooming, and obedience training.
  - (5) The maximum intended number of animals to be housed at the facility at any one time.
  - (6) The maximum and minimum length of stay for individual animals.
- (b) *Consent of neighboring property:* An animal day care or animal boarding license applicant shall present with his or her application a statement in writing with the signatures of as many of the owners of private residences, dwellings and apartment houses located within one hundred fifty (150) feet of such premises as he or she can obtain to the effect that they have no objection to the granting of the animal day care or animal boarding license sought or the operation of the business at the proposed location. The one hundred fifty (150) feet shall be calculated as the distance measured in a straight line from the nearest point of the property line of the building where the license is sought, to the nearest point of the residentially occupied property line.
- (1) *Consent of sixty (60) to eighty-nine (89) percent of owners within one hundred fifty (150) feet:* If the applicant obtains the signatures of ninety (90) percent or more of such persons, the council may grant the license. If the applicant obtains the signatures of sixty (60) percent to eighty-nine (89) percent of such persons, the council may grant the license if the licensee demonstrates to the council in writing with respect to specific properties that a good faith effort was made to fulfill all petition requirements, and upon finding that issuance of the license would not interfere with the reasonable use and enjoyment of neighboring property and residences and would not bear adversely on the health, safety, morals and general welfare of the community. Such findings shall be based on the following considerations if the license were to be granted:
    - a. The effect on the surrounding community and institutions;
    - b. Noise and likelihood of adverse effect on residential occupants;
    - c. The possibility of increased traffic;
    - d. The character of the neighborhood;
    - e. Other like uses in the neighborhood.
  - (2) *Consent of less than sixty (60) percent of owners within one hundred fifty (150) feet.* If the applicant fails to obtain the signatures of sixty (60) percent of such persons, the license shall not in any case be granted, unless the license applicant can illustrate to the city council, in writing with respect to specific properties, that a good faith effort was made to fulfill all petition requirements, and that the results of such attempts showed a generally favorable disposition from the surrounding community toward the proposed licensed activity, and that the district council representing the area supports the request for the license by the applicant. The council may grant the license upon finding that issuance of the license would not interfere with the reasonable use and enjoyment of neighboring property and residences and would not bear adversely on the health, safety, morals and general welfare of the community. Such findings shall be based on the following considerations if the license were to be granted:
    - a. The effect on the surrounding community and institutions;
    - b. Noise and likelihood of adverse effect on residential occupants;
    - c. The possibility of increased traffic;

- d. The character of the neighborhood;
- e. Other like uses in the neighborhood.

(C.F. No. 08-567, § 4, 6-25-08; Ord. No. 12-13, § 1, 3-28-12)

### Sec. 348.05. - Regulations.

- (a) *Premises.* The licensed premises must be approved under the Saint Paul zoning code and the department of safety and inspections as suitable to house animals. The animal control division of the department of safety and inspections shall inspect the premises proposed to house animal day care and animal boarding to determine whether the facilities are suitable for animal day care or animal boarding. Once per year, the animal control division shall re-inspect the facilities to determine continued suitability. Nothing in this section shall prevent animal control officers to inspect the premises more often than once per year. The premises shall meet the following minimum criteria:
  - (1) The facility shall be structurally sound, maintained in good repair, and designed so as to protect the animals from injury and restrict the entrance of other animals.
  - (2) Each animal shall be provided with adequate floor space to allow such animal to turn about freely and to easily stand, sit and lie in a comfortable and normal position.
  - (3) Water shall be supplied at sufficient pressure and quantity to clean indoor housing facilities and enclosures of debris and excreta.
  - (4) Suitable food and bedding shall be provided and stored in facilities adequate to provide protection against infestation or contamination by insects or rodents. Refrigeration shall be provided for the protection of perishable food.
  - (5) Provision shall be made for the removal and disposal of animal and food wastes, bedding and debris. Disposal facilities shall be so provided and operated as to minimize vermin infestation, odors and disease hazards.
  - (6) The facility shall be sufficiently heated or cooled when necessary.
  - (7) The facility shall have interior walls, ceiling and floor surfaces constructed of materials which are resistant to the absorption of moisture and odors, or which surfaces shall be treated with sealant or with paint. Floor surfaces shall not be made of unsealed wood. Interior walls shall be constructed so that the interface with floor surfaces is sealed from the flow or accumulation of moisture or debris.
  - (8) Outdoor facilities shall be constructed to provide shelter from excessive sunlight, rain, snow, wind, heat, cold or other elements.
  - (9) Outdoor facilities shall provide sufficient space for the proper exercise and movement of each animal contained therein.
  - (10) Outdoor facilities shall be enclosed by walls or fences sufficient to keep animals within and to prevent entrance of other animals.
- (b) *Animal requirements.* The licensee shall have for each animal housed in the animal day care or animal boarding facility:
  - (1) Proof of a current license from the jurisdiction where that animal resides; and
  - (2) Proof that the animal meets all vaccination requirements in place in the city; and
  - (3) A current veterinary certificate verifying that the animal is free from intestinal parasites; and
  - (4) The name and address of the owner of the animal.
- (c) *Animals declared dangerous.* An animal day care or animal boarding facility may not house an animal that has been declared dangerous or potentially dangerous by any jurisdiction including but not limited to the city or state.
- (d) *Sanitation standard.* Animal feces shall be removed a minimum once per day or more often if necessary to ensure no odors can be detected from neighboring property.
- (e)

*Animal rescue not allowed.* Animal day care and animal boarding facilities cannot rescue animals or house rescued animals.

- (f) *Home occupation limitation on number of animals.* Home occupation animal day care and animal boarding facilities shall house no more than a total of three animals including any animals residing in the home.
- (g) *Cages.* Each animal shall be provided with a cage or separate individual enclosure. The enclosure shall have adequate floor space to allow such animal to turn about freely and to easily stand, sit and lie in a comfortable and normal position.

(C.F. No. 08-567, § 5, 6-25-08)